

**ENTERED**

June 17, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

KENNETH NEILL,

Plaintiff.

VS.

KILOLO KIJAKAZI, ACTING  
COMMISSIONER OF THE SOCIAL  
SECURITY ADMINISTRATION,

Defendant.

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CIVIL ACTION NO. 4:21-cv-01744

## ORDER ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION

On November 8, 2021, this case was referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). *See* Dkt. 12. Judge Edison filed a Memorandum and Recommendation on June 2, 2022, recommending that Neill’s motion for summary judgment (Dkt. 14) should be **DENIED**, and the Commissioner’s motion for summary judgment (Dkt. 15) should be **GRANTED**. *See* Dkt. 16.

No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also* FED. R. CIV. P. 72(b)(3).


Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED and ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 16) is **APPROVED and ADOPTED** in its entirety as the holding of the Court; and

- (2) Neill's motion for summary judgment (Dkt. 14) is **DENIED**, and the Commissioner's motion for summary judgment (Dkt. 15) is **GRANTED**.

It is so **ORDERED**.

SIGNED and ENTERED this 17th day of June 2022.

A handwritten signature in black ink, reading "George C. Hanks Jr", is positioned above a horizontal line.

GEORGE C. HANKS, JR.  
UNITED STATES DISTRICT JUDGE